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PATENT

Remarks

The Office Action mailed May 10, 2004, and made final, has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-20 are now pending in this application. Claims 1-20 stand rejected. Claim 1 has been amended. It is respectfully submitted that the presently pending claims recite allowable subject matter.

Claim 1 has been amended reinstating language previously determined to distinguish over the Miller reference. It is respectfully submitted that the amendment raises no new issues that necessitate further examination.

The rejection of Claims 1-8 under 35 U.S.C. § 102(e) as being anticipated by Miller (U.S. Patent No. 6,418,943) is respectfully traversed.

Miller describes a wash liquid circulation system for a dishwasher that includes a volute pump 228 and a soil collector 270. The volute pump is a centrifugal pump having a spiral casing. The pump chamber 232 has a main outlet 238 and a secondary outlet 240 (col. 3, lines 32-41). Soils are partially separated in the pump chamber by a filter plate 260 that divides the pump chamber into a first region 262 and a second region 264 (col. 3, line 66 – col. 4, line 2). Wash liquid from the second region is passed through the secondary outlet to the soil collector. The soil collector has a cup-like main body 272 and a top panel 274. The top panel has a solid portion 281, a plurality of filter screen panels 284, and a plurality of openings 282 that combine with the main body to form a soil separation channel 280 (col. 4, lines 45-67). The separation channel is described as being about the center opening with different configurations being possible, including linear. The main body further includes a downwardly projecting portion 286 that defines a soil accumulation region or sump 288 (col. 5, lines 1-15).

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Claim 1 recites a fine filter assembly for a dishwasher, the fine filter assembly including "a filter body comprising an inlet and an outlet, said inlet located substantially adjacent said outlet, said outlet comprising a drain tube coupled to a drain line, said drain line including a fluid column generating a pressure to counterbalance an operating pressure in said fine filter assembly, said inlet and said outlet proximate an outer perimeter of said filter body, and an extended flow path joining said inlet and said outlet".

Miller does not describe or suggest a fine filter assembly for a dishwasher, the fine filter assembly including a filter body including an inlet and an outlet, the inlet located substantially adjacent the outlet, the outlet comprising a drain tube coupled to a drain line, the drain line including a fluid column generating a pressure to counterbalance an operating pressure in the fine filter assembly, the inlet and the outlet proximate an outer perimeter of the filter body, and an extended flow path joining the inlet and the outlet. Moreover, Miller does not describe or suggest an inlet and an outlet proximate an outer perimeter of the filter body, and an extended flow path joining the inlet and the outlet. Rather, Miller describes a soil separation channel wherein the fluid inlet and outlet are on opposite sides of a centrally located chamber in the soil collector, and wherein at least the fluid inlet is located in a central portion of the soil collector.

For the reasons set forth above, Claim 1 is submitted to be patentable over Miller.

Claims 2-8 depend from independent Claim 1. When the recitations of Claims 2-8 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-8 likewise are patentable over Miller.

For the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1-8 be withdrawn.

The rejection of Claims 1-20 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-18 of U.S. Patent No. 6,698,436 in view of Miller is respectfully traversed.

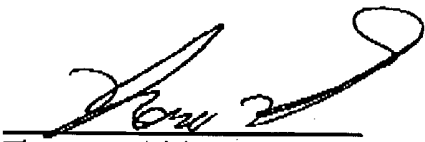
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Submitted herewith is a Terminal Disclaimer. Applicants respectfully request that the obviousness-type double patenting rejection of Claims 1-20 be withdrawn. The Assignment for U.S. Patent No. 6,698,438 was recorded on October 15, 2002 and is located at Reel 013382, Frame 0873. The Assignment for the instant application was recorded at Reel 013394, Frame 0522.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,


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